CHARGE: 502 (a)—the accompanying labeling of the article, while held for sale, contained false and misleading representations that the article provided an effective treatment for arthritis, bursitis, sinus trouble, asthma, and "other chronic diseases."

DISPOSITION: 12-28-54. Default—destruction.

4919. Pliofilm pads. (F. D. C. No. 37687. S. No. 16-148 M.)

QUANTITY: 51 pads at Portland, Oreg.

SHIPPED: 1-11-55, from Minot, N. Dak., by J. W. Desmond.

ACCOMPANYING LABELING: A leaflet inserted in each Pliofilm pad reading "The following elements are present: Lanthanum, Praseodymium, Thorium, Cerium, Neodymium, Samarium, Dyprosium, Holmium, Erbium, Thulium, Yetterbrium Uttrium, Silicate. Activ-Ray Poultice Company 1200 S. W. Morrison Street Portland 5, Oregon;" and form letters printed on pink, yellow, blue, and white paper entitled "New Relief From Arthritis: Activ-Ray Mineral Pads."

LIBELED: 3-17-55, Dist. Oreg.

CHARGE: 502 (a)—the labeling of the article, when shipped, contained false and misleading representations that the article provided an adequate and effective treatment for arthritis, rheumatism, sinus, neuralgia, and related chronic conditions, nagging, nerve-wracking pain, for restoring health and general well-being, and for pains in back or torso pains, pains in extremities (leg, foot, hand, and arm), and in head or neck area.

DISPOSITION: 5-17-55. Default—destruction.

DRUGS FOR VETERINARY USE

4920. Aquolex and Aquodine Concentrate. (F. D. C. No. 37105. S. Nos. 75-281/2 L.)

QUANTITY: 80 100-lb. bags of *Aquolex*, and 70 cases, 6 5-lb. jars each, of *Aquodine Concentrate* at Girdletree, Md.

SHIPPED: 2-16-54 and 5-5-54, from Tampa, Fla., by F. W. Albright Laboratories.

LABEL IN PART: (Bag) "All Bright AQUOLEX Aquodine Powder Contains Calcium Phosphate, Iron Oxide, Copper Sulphate, Manganese Sulphate, Iron Sulphate, Zinc Sulphate, Aniline Dye, Anise. Combined Minerals and Salines To Mix with the Feed. For Poultry of all Ages"; (jar) "AQUODINE CONCENTRATE For Making Aquodine"; (label folded inside jar top) "Aquodine For Poultry of All Ages Contains Copper Sulphate, Iron Sulphate, Zinc Sulphate, Aniline Dye."

ACCOMPANYING LABELING: Leaflets entitled "Price List Effective March 1954."

LIBELED: On or about 9-23-54, Dist. Md.

CHARGE: 502 (a)—the accompanying labeling of the articles, when shipped, contained false and misleading representations that the articles would be effective for the poultry diseases designated as mycosis, enteritis (gizzard erosion), coccidiosis, chronic respiratory disease, air sac cold, and necro, and blackhead in turkeys.

DISPOSITION: 4-25-55. Default—destruction.

U. S. Department of Health, Education, and Welfare

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

4921–4960

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. They involve drugs and devices which were adulterated or misbranded within the meaning of the Act when introduced into and while in interstate commerce or while held for sale after shipment in interstate commerce. These cases involve (1) seizure proceedings in which decrees of condemnation were entered after default, consent, or summary judgment, and (2) criminal proceedings which were terminated upon pleas of guilty or nolo contendere. The seizure proceedings are civil actions taken against the *goods* alleged to be in violation, and the criminal proceedings are against the *firms or individuals* charged to be responsible for violations.

Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *February 11, 1957.*

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*For presence of a habit-forming narcotic without warning statement, see No. 4925; omission of, or unsatisfactory, ingredients statements, Nos. 4923, 4942; sale under name of another drug, Nos. 4926, 4939, 4940; failure to bear a label containing an accurate statement of the quantity of the contents, Nos. 4923, 4925, 4942; failure to bear a label containing the name and place of business of the manufacturer, packer, or distributor, Nos. 4923, 4925.

412734—57——1

SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS REPORTED IN D. D. N. J. NOS. 4921–4960

Adulteration, Section 501 (b), the article purported to be and was represented as a drug, the name of which is recognized in an official compendium (United States Pharmacopeia and National Formulary), and its strength differed from the standard set forth in such compendium; Section 501 (c), the article was not subject to the provisions of Section 501 (b), and its strength differed from, and its quality fell below, that which it purported or was represented to possess; Section 501 (d) (2), the article was a drug, and a substance had been substituted wholly or in part therefor.

Misbranding, Section 502 (a), the labeling of the article was false and misleading; Section 502 (b), the article was in package form, and it failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; Section 502 (d), the article contained a chemical derivative of barbituric acid, and its label failed to bear the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming"; Section 502 (e) (2), the article was not designated solely by a name recognized in an official compendium and was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient, including the quantity of alcohol contained therein; Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use; Section 502 (f) (2), the labeling of the article failed to bear adequate warnings against use in those pathological conditions or by children where its use may be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form, as are necessary for the protection of users; Section 502 (g), the article purported to be a drug, the name of which is recognized in an official compendium, and it was not packaged as prescribed therein; Section 502 (i) (3), the article was offered for sale under the name of another drug; Section 502 (j), the article was dangerous to health when used in the dosage, or with the frequency or duration, prescribed, recommended, or suggested in its labeling.

New-drug violation, Section 505 (a), the article was a new drug within the meaning of Section 201 (p), which was introduced into interstate commerce, and an application filed pursuant to Section 505 (b) was not effective with respect to such drug.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF POTENTIAL DANGER WHEN USED ACCORDING TO DIRECTIONS

4921. Sobrin and Solfera tablets. (F. D. C. No. 35126. S. Nos. 40–628 L, 44–420 L, 49–432 L, 52–320 L.)

INFORMATION FILED: 8–20–53, Dist. N. J., against Scientific Aids Co., a partnership, Jersey City, N. J., and George Van Dyne and Maurice Van Dyne, partners; amended information filed 3–5–54.

ALLEGED VIOLATION: The information alleged that, within the period from 6–10–52 to 8–25–52, while a quantity of *Solfera tablets* was being held for sale, the defendants repackaged a number of the tablets under labels which failed to bear adequate directions for use, which act resulted in the tablets being misbranded.

The information alleged also that, between 8–22–52 and 10–13–52, the defendants shipped misbranded *Solfera tablets* and *Sobrin* from New Jersey to Massachusetts, New York, and Washington.